

“Sick Crime: Counterfeit Drugs in the United States

Tuesday, November 1, 2005

James M. Butler

My name is Max Butler, brother of the late Maxine Blount, a victim of counterfeit drugs.

In my testimony at this hearing, I hope to illustrate the impact that this crime has had on our family, friends and community. Counterfeiting medicine is a crime that undermines the trust that society has in its doctors and pharmacies. A crime that targets victims that are already fighting for their lives and one that often results in tremendous suffering, and sometimes in early death. It also places additional emotional and financial burdens on already stressed families.

In 1998 Maxine Blount of Harvester Missouri, was diagnosed with a serious type of breast cancer. Her doctor explained that her cancer was serious, however, the doctor promised to provide Maxine with every opportunity to beat the cancer. Treatments began. Maxine received chemo treatments and radiation treatments over a period of 7 or 8 months to reduce the size of the tumors so that doctors could more safely do a radical mastectomy. After the mastectomy, Maxine continued to receive regular treatments, taking Procrit between each treatment, to build her blood, strength and stamina, in preparation for the next round of Chemo. She did this until she began to receive the counterfeit Procrit, The counterfeit Procrit made it impossible for her body to rebound enough for regular treatments.

At the time that Maxine was diagnosed with cancer, she owned and operated a Mail Boxes Etc. store. She loved this business and worked long hours to make it thrive. The business did well and resulted in many professional clients that depended on Maxine's ingenuity and work ethic to help them succeed in their respective businesses. She was available to assist anyone in shipping, creating documents or other services almost any time, day or night. She was an active member and officer of the Chamber of Commerce, taking great pride in her civic responsibilities, caring about the community and businesses. When someone needed help, Maxine was always first on the list to offer help. Local business and the Chamber of Commerce worried about Maxine throughout her illness, missing her greatly when she became too ill to run her business. About two years after being diagnosed with breast cancer, Maxine sold her business. She felt she needed to concentrate all of her strength on fighting the biggest battle of her life, cancer.

Maxine had five children, eleven grandchildren and 2 great grand children. She loved the children dearly and as her condition worsened, she noted that she was especially sad because she would be unable to see her future grand children. At age 61, Maxine should have had many years to enjoy her life; family, and work. Maxine was especially bitter when she realized that the counterfeiters had robbed her of precious time with her loved ones so that they could buy expensive cars, mansions and live the “high life”. She sometimes wondered how they would feel if they lost loved ones because of counterfeit drugs.

As Maxine's cancer advanced, the doctor would change her medication. Most changes were successful in slowing or arresting the cancer for some period of time. However, this progress stopped as soon as Maxine began taking the counterfeit drugs.

Several months before Maxine's death, she noted that the Procrit did not appear to be working any longer. Maxine had to lengthen the time between treatments, allowing the cancer to advance more rapidly. Maxine informed the nurse at her doctor's office that the Procrit was no longer working. The nurse indicated that it should still work and took Maxine's prescription to a lab. They determined that the Procrit was counterfeit.

As noted earlier, the result of the counterfeit drug was that she could no longer take the chemo treatments as needed. In addition, she had no strength, more pain, problems concentrating and felt really bad. These missed treatments, combined with her loss of confidence in the pharmacy system, resulted in the quality of Maxine's life taking a nose dive. It would take her hours just to shower and dress. As she dressed, she had to take a break between each garment. Although Maxine's family helped her every way possible, it bothered her that she might become a burden on them.

Maxine dedicated all of her effort to trying to get well or survive until a miracle drug could be developed that would cure her. She had total confidence in her doctor and pharmacy until this happened. She had purchased her drugs at one of the largest and most reliable pharmacy's in St. Louis. At first she blamed the pharmacy, then she became even more depressed when she learned that controls on prescription drugs were really poor and that counterfeit drugs were not that un-common. It appeared to Maxine that because of the tremendous amount of money associated with cancer drugs, the "system" allowed counterfeiting to continue with little control. She had spent thousands of dollars each month on counterfeit cancer drugs and the pharmacy refused to repay the fees they had collected for the counterfeit medicine. Maxine's confidence was gone. At this point she pretty much resigned herself that the end was near.

I don't pretend to know if Maxine would be alive today if she had not received counterfeit drugs. What I do know is that she would have lived longer, experienced much less pain and suffering, spent more time with loved ones, and would have died with more dignity. Maxine died on October 24, 2002. Maxine has had one grandchild born since her death.

The criminals dealing in counterfeit drugs are murderers. They steal people's dignity, cause unbelievable pain and often the premature death of their victims. All because of greed and a lack of moral and ethical values. My father taught us that at the end of each day, you should be proud of the person that you see in the mirror. I don't understand how these criminals can face themselves when they look in the mirror.

In closing, I believe that our society deserves and expects to receive reliable, high quality medication without being concerned that the medicine is counterfeit.